

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JUAN BRADLEY,) 8:11CV9

)

Plaintiff,)

)

v.)

)

ALL UNITED STATES SUPREME)

COURT JUDGES, and CLERKS OF)

THE UNITED STATES SUPREME)

COURT,)

)

Defendants.)

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On March 2, 2011, the United States Court of Appeals for the Eighth Circuit remanded this case to this court for the limited purpose of determining Plaintiff's in forma pauperis ("IFP") status. (See Filing No. [16](#).) As set forth below, the court has carefully reviewed the record and finds that Plaintiff is not entitled to proceed IFP on appeal.

Plaintiff did not submit a Motion for Leave to Proceed IFP on Appeal, nor has he paid the \$455.00 appellate filing fee. As the court previously informed Plaintiff, under the provisions of [28 U.S.C. §1915\(g\)](#) ("§ 1915(g)"), a prisoner may not proceed IFP in a civil action, or appeal a judgment in a civil action, if the prisoner has, on three or more occasions, while incarcerated, brought an action or appeal in federal court that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted. [§ 1915\(g\)](#). An exception is made for prisoners who are under imminent danger of serious physical injury. [Id.](#) The court has already determined that Plaintiff brought the following four cases while incarcerated, all of which were dismissed as frivolous:

- *Bradley v. Urbom*, No.8:92CV54 (D. Neb.), dismissed as frivolous on March 10, 1992.

- *Bradley v. The Senate*, No. 8:92CV96 (D. Neb.), dismissed as frivolous on May 7, 1992.
- *Bradley v. U.S. District Court*, No. 8:92CV127 (D. Neb.), dismissed as frivolous on March 13, 1992.
- *Bradley v. Urbom*, No. 8:92CV188 (D. Neb.), dismissed as frivolous on April 13, 1992.

Plaintiff has not shown that these cases are not frivolous, nor has he shown that he faces any danger of physical injury. Thus, Plaintiff was not permitted to proceed IFP in this court, and is not entitled to proceed IFP on appeal. Moreover, Plaintiff has not paid the \$455.00 filing fee.

IT IS THEREFORE ORDERED that:

1. Plaintiff is not entitled to proceed IFP on appeal.
2. The Clerk of the court is directed to forward a copy of this Memorandum and Order to the parties and to the Eighth Circuit Court of Appeals.

DATED this 9th day of March, 2011.

BY THE COURT:

Richard G. Kopf
United States District Judge